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PLANNING
DIVISION

Site Plan – Landscape Establishment Bond Procedure

PROCEDURES FOR LANDSCAPE ESTABLISHMENT BOND- AUGUSTA, GEORGIA

PREFACE:

The Tree Ordinance of Augusta, GA, Chapter 8-4, as amended, allows the provision of a Landscape Establishment Bond in connection with commercial development within Augusta, GA.

The Surety provided in connection with such Landscape Establishment Bond shall be a Corporate Surety licensed to do business in the State of Georgia. In lieu thereof, the Developer may post a Letter of Credit from a federally insured lender, licensed to do business in the State of Georgia.

Details of the various requirements for the Landscape Establishment Bond are found in the following section of the Tree Ordinance: Chapter 8-4-13.

CALCULATION OF BONDS:

Prior to the issuance of a Certificate of Occupancy, the Developer will confer with the appropriate Planning and Development Department Staff who in turn will provide the Developer with the acceptable format for both the Landscape Establishment Bond (LEB) and the Letter of Credit (LOC). The amount of the Landscape Establishment Bond will be the number of required trees on site (as delineated on the Site Plan) times \$500 per required tree.

SUBMISSION AND ACCEPTANCE OF BONDS:

The Developer will submit the Landscape Establishment Bond and Surety (Letter of Credit or Bond) to the Planning and Development Department Staff (PCS).

This submittal will trigger notification by the PCS of the City's Contract Arborist to inspect for compliance with the Augusta Tree Ordinance, prior to issuance of a Certificate of Occupancy (CO).

Based on satisfactory inspection by the City's Contract Arborist the Bond will be put in place for a period of two years from the date on the Landscape Establishment Bond (LEB).

The PCS will monitor the Landscape Establishment Bond process.

FINAL BOND INSPECTIONS:

Approximately 30 days prior to the Bond expiry, or at the request of the Bond issuer, the Owner or a representative of the Owner (but no more than 60 days prior to the Bond expiry), the PCS will notify the City's Contract Arborist to perform a final inspection of the required landscaping to insure that it is still in place, has not been altered, damaged or removed, has not been improperly topped or pruned, and has a better than

average chance of surviving to maturity. The City's Contract Arborist will report to the PCS, in writing, whether any deficiencies or defects are present within the landscaping at the subject site, or whether to release the Landscape Establishment Bond.

The Planning and Development Department Staff will notify the Developer, in writing, of any deficiencies or defects in the required landscaping at the subject site.

The Developer will have fourteen (14) calendar days to address any deficiencies or defects in the required landscaping at the subject site and will submit a replacement Landscape Establishment Bond for the noted deficiencies. The PCS will then contact the City's Contract Arborist for reinspection of the site.

The City's Contract Arborist will inspect the subject site and report to the Planning and Development Department Staff, in writing, to release, extend, or call the Landscape Establishment Bond.

EXTENSION, CALLING OR RELEASE OF BONDS:

If the required landscaping is satisfactory, the Planning and Development Department Staff will release the Landscape Establishment Bond on the expiration date.

Periodically, and most often due to weather concerns or improper planting season(s), the City's Contract Arborist may recommend extension of the current Landscape Establishment Bond. This can be done as an Addendum to the Bond (a Rider, an Addendum or an Extension) or by posting (submitting) a Performance Guarantee for correction of the noted deficiencies or defects.

If the required landscaping improvements are not satisfactory and the City's Contract Arborist has recommended calling the Landscape Establishment Bond, the Planning and Development Department Staff will immediately notify the Surety Agent and the Developer, in writing, both by "Certified Mail, Return Receipt Requested, Addressee Only". Said notification shall state that the Developer has failed to make the required improvements within the term of the Landscape Establishment Bond and that the Bond is therefore declared to be in default.

If the Landscape Establishment Bond is called, the Planning and Development Department Staff will deposit the proceeds from the Landscape Establishment Bond with the City Finance Department, with a copy of the transmittal memo to the City's Finance Director, who will establish an account for the use of said proceeds to complete the required landscaping improvements or make good any defects in the required landscaping.